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Intellectual Property Causes
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Attorney Docket No. P24996**Mail Stop Amendment**

In re application of : Makoto TOYOTA et al.

Application No : 10/806,284

Group Art Unit: 2811

Filed : March 23, 2004

Examiner : Thomas L. Dickey

For : METHOD OF MANUFACTURING ANNULAR OBLIQUE LIGHT
 ILLUMINATION APPARATUS AND FLEXIBLE WIRING
 SUBSTRATE

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop _____

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Sir:

Transmitted herewith is a **Response to Restriction Requirement, with Traverse** in the above-captioned application.

___ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

___ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

___ An Information Disclosure Statement, PTO Form 1449, and references cited.

☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 9	*20	0	X25=	\$	x 50=	\$
Indep. Claims: 6	**6	0	X100=	\$	X200=	\$
Multiple Dependent Claims Presented			+180=	\$	+360=	\$
Extension Fees for ____ Month(s)				\$		\$
Total:				\$	Total:	\$

___ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

N/A A Check in the amount of \$ ____ to cover the filing/extension fee(s) is included.

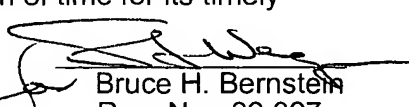
☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

Steven Wegman

Reg. No. 31,438


 Bruce H. Bernstein
 Reg. No. 29,027

P24996.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Makoto TOYOTA et al.

Group Art Unit: 2811

Appl. No. : 10/806,284

Examiner: Thomas L. Dickey

Filed : March 23, 2004

Confirmation: 1856

For : METHOD OF MANUFACTURING ANNULAR
OBLIQUE LIGHT ILLUMINATION APPARATUS
AND FLEXIBLE WIRING SUBSTRATE

RESPONSE TO RESTRICTION REQUIREMENT, WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

ELECTION

In response to the Examiner's restriction requirement dated January 21, 2005, in which the one-month shortened statutory period for responding thereto runs to February 22, 2005 (February, 21, 2005 being a Federal holiday), Applicants elect, with traverse, the invention identified by the Examiner as Group I, including claims 1-3.

In this regard, Applicants note that the restriction requirement indicates that it was mailed on February 21, 2005. However, Applicants' U.S. counsel received the

mailing on February 20, 2005. Accordingly, Applicants are submitting the present response prior to the February 21, 2005 response due date to ensure that it is timely filed.

TRAVERSE

Applicants respectfully traverse the Examiner's restriction requirement.

Although the Examiner's Office action appears to accurately identify two inventions, Applicants respectfully request that each invention, nevertheless, be examined in the instant application, pursuant to the guidelines set forth in M.P.E.P. §803. That is, the Examiner is respectfully requested to reconsider his requirement and find that there would not appear to be a "serious burden" on the Office in examining claims directed to the non-elected invention, viz., claims 4-9, which would remain withdrawn from consideration if the restriction requirement is maintained.

M.P.E.P. Chapter 800, sets forth the policy by which Examiners are guided in requiring restriction under 35 U.S.C. §121. Section 803 states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicants respectfully submit that, in spite of the accuracy of the Examiner's restriction analysis, the method of claims 1-3 (e.g., Invention I) and the device of claims 4-9 (e.g., invention II) are inter-related. Further, it would appear that the

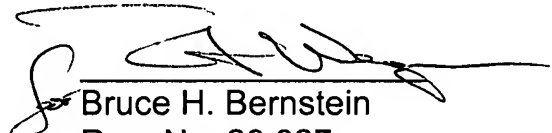
P24996.A05

search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. That is, if the Examiner were to perform a search for the invention of Group I (claims 1-3), i.e., the method of manufacturing a light illumination apparatus, there would not appear to be a serious burden in continuing the examination of the invention of Group II (claims 4-9), i.e., a flexible wiring substrate for forming a light emitting device array.

Therefore, Applicants respectfully request that the restriction requirement be reconsidered and withdrawn, in view of a lack of a serious burden, as recognized in M.P.E.P. §803 as being a prerequisite to a proper restriction requirement.

Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,
Makoto TOYOTA et al.


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February 17, 2005
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